

REGULAR MEETING OF THE MAYOR AND BOROUGH COUNCIL

October 13, 2020 MINUTES

Mayor Thaddeus J. Kobylarz called the Regular Council Meeting of the Borough of Chatham to order on Monday, October 13, 2020 at 6:05 p.m. in the Council Chambers in Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey.

Note: The start time of this meeting was moved from 7:30 p.m. to 6:00 p.m. to accommodate the emergency measures in place due to the coronavirus pandemic.

SALUTE TO FLAG

Mayor Kobylarz and the Borough Council led the assembled in the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Kobylarz asked for a moment of silence for those who have given their lives for our country. He also gave recognition to those protecting our lives during the current health pandemic caused by coronavirus, COVID-19. He acknowledged the passing of the Borough's Interim CFO, David Hollberg on September 20, 2020. Finally, further acknowledged the passing of all nine (9) Chatham Borough residents who died during the current pandemic.

STATEMENT OF ADEQUATE NOTICE

Tamar Lawful, Borough Clerk, read the following statement of adequate notice:

Pursuant to the requirements of the Open Public Meetings Act, adequate notice of this meeting has been provided by including same in the Annual Notice, copies of which were posted on the official bulletin board on the main floor of Borough Hall, emailed to the Daily Record, the Star-Ledger, the Chatham Courier, the Chatham Patch, and TAPinto Chatham and was filed with the Borough Clerk, all on January 08, 2020.

Pursuant to the requirements of R.S. 10:4-10, adequate notice of the change in time of tonight's virtual meeting was provided to the press on October 6, 2020, a copy of which was posted on the Borough website, including the front and side entrances of Borough Hall.

ROLL CALL

Mayor Thaddeus J. Kobylarz
Council President Jocelyn Mathiasen
Council Member Robert A. Weber, Sr.
Council Member Carolyn Dempsey (*Attended Virtually*)
Council Member Karen Koronkiewicz (*Attended Virtually*)
Council Member Irene Treloar (*Attended Virtually*)
Council Member Leonard Resto (*Attended Virtually*)
Stephen W. Williams, Borough Administrator
Tamar Lawful, Borough Clerk (*Attended Virtually*)
James L. Lott, Jr., Borough Attorney (*Attended Virtually*)

Also, in attendance: Brian Gibbons (*Attended Virtually*)

RECUSALS

Council President Mathiasen recused herself from Ordinance # 20-13 due to her close residential proximity to Stanley Congregational Church.

Mayor Kobylarz proceeded with Resolution # 20-230.

RESOLUTION #20-230

RESOLUTION TO ADOPT COUNCIL MEETING MINUTES

BE IT RESOLVED, by the Council of the Borough of Chatham that the minutes from the following meeting are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office:

September 14, 2020

And,

BE IT FURTHER RESOLVED, by the Council of the Borough of Chatham that the minutes from the following Closed Session meeting(s) are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office:

September 14, 2020

Council Member Resto moved to approve Resolution # 20-230, seconded by Council Member Weber. By a unanimous voice vote, Resolution # 20-230 was approved.

DISCUSSION ITEMS

PSE&G – RPV Transmission Line Lattice Tower Replacement:

The Roseland – Pleasant Valley Project (RPV) is a \$546 million dollar investment project designed to strengthen the electric transmission system by replacing older transmission facilities between PSE&G's Roseland Switching Station in Roseland, New Jersey, and its Pleasant Valley Switching Station in Hopewell, New Jersey. The towers have reached their useful life span and the structures are beyond repair. The existing towers, most of which were built around the 1920s and 1930s from Roseland to Lambertville and in the 1960s from West Amwell to Pleasant Valley, will be replaced with new steel structures. The voltage of these transmission lines remains the same. Construction to install the foundations will begin in January of 2021. Once the lines are in place, the restoration process will begin. The project is expected to be completed by December of 2023.

MAYOR'S REPORT I:

Mayor Kobylarz delivered a portion of his Mayor's Report as follows:

Statistical Update on the Coronavirus:

Mayor Kobylarz reported that 99 residents of the Borough have contracted the coronavirus. The transmission rate has gradually increased from 1.0 five weeks ago to 1.6 today. He pleaded with residents to take the necessary safety measures to mitigate the spread of the virus. He reminded everyone to practice the basic protective measures: wear your masks, practice social distancing, and wash your hands.

COVID-19 Ambassador Program:

Police Chief Gibbons showcased the vest to be worn by the volunteers of the Ambassador Program. Residents who are interested in volunteering should contact the Chatham Borough Police Department. The ultimate goal of the program is to gently remind the public to follow the proper protective measures to ensure the safety of our community.

The Passing of Interim CFO:

Interim CFO David Hollberg passed away from an illness he battled late this summer. As an asset to the Borough, he was offered the vacant CFO position, with no anticipation of such tragedy. The Borough staff and public officials are greatly saddened by this loss. Mr. Hollberg was a terrific person and a wonderful human being. He will be greatly missed.

Mayor Kobylarz proceeded to open the meeting to public comment and read the Notice of Public Comment Time Limit.

MEETING OPEN TO THE PUBLIC

Residents wishing to make public comments may dial 929-205-6099 (Meeting ID: 844 2849 5537) or obtain online access of the meeting using the following URL:

<https://us02web.zoom.us/j/84428495537?pwd=RHM3WWRzbVVsWkhtQndhL3BVeEhFUT09>

NOTICE OF PUBLIC COMMENT TIME LIMIT

Hearing of citizens during the Public Comment section of the Agenda is an opportunity for any member of the public to be heard about issues which are or are not matters scheduled for Public Hearing tonight. In light of the emergency, discussions and actions by the Chatham Borough Mayor and Council related to discretionary municipal actions and/or other non-emergent matters including redevelopment planning will be deferred until further notice. Accordingly, I would respectfully request that the public try to limit its comments to matters primarily related to the COVID-19 response and/or the continued operations of the Borough government during the emergency. While the Chatham Borough Mayor and Council welcome public participation and comment on any topic, to help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to a reasonable length of time.

Rozella Clyde: 33 Carmine Street

Ms. Clyde inquired whether the vest to be worn by the volunteers of the Ambassador Program are available for dogs and volunteers with dogs. Chief Gibbons responded that he would pass along such a novel idea to his team.

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Council Member Dempsey encouraged residents to visit the Historic Riverside Trail to experience the kiosks that were installed. Visitors will have the opportunity to read historic information about the Borough as they walk around the trail. A ribbon-cutting ceremony is expected in the future. Council Member Dempsey acknowledged and thanked all the departments involved in the process.

Seeing no one else wishing to be heard, Mayor Kobylarz closed the meeting to the public.

Mayor Kobylarz tabled the second reading of Ordinance # 20-13 for the next scheduled Mayor and Council meeting (October 26, 2020) due to recent changes to the contract agreement.

MAYOR'S REPORT II

Mayor Kobylarz had nothing further to report.

ADMINISTRATOR'S REPORT

Mr. Williams reported on the following:

- PSE&G will begin repairing disturbed roads in two weeks.
- He reminded residents to develop a good habit of locking their cars and homes as the sun sets earlier.
- Halloween guidelines from the Department of Health will be posted on the Borough's website.
- Tax bills will be mailed out this Friday, October 16, 2020.
- Office of Emergency Management has been busy working on a FEMA grant submission for COVID-19 expenses. The grant amount shall not exceed \$92,000 of reimbursable funds for expenses not anticipated in this year's budget.
- The Office of Emergency Management and Morris County have been working on the Hazard Mitigation Annex. A resolution to adopt the plan will be on the October 26, 2020 agenda.
- Mr. Williams concluded his report by explaining the accelerating number of coronavirus cases among young adults. The last four positive cases, which brought the Borough to 99 cases, include a 20-year-old, a 19-year-old, a 16-year-old, and a 54-year-old.

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Council Member Weber reported that the Board of Health will have a question and answer session with Health Officer Megan Avallone and Superintendent of Schools Dr. Michael LaSusa regarding COVID-19 and how it relates to the school system. He encouraged residents to attend electronically and submit questions.

CONSENT AGENDA

The following items are considered to be routine by the Chatham Borough Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

Resolution #20-231 through Resolution #20-234 have been placed on the Consent Agenda.

RESOLUTION[S] REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE RESOLUTION #20-

There were none.

FINANCE

RESOLUTION #20-231

RESOLUTION TO APPROVE PAYMENT OF VOUCHERS

WHEREAS, vouchers for payment have been submitted to the Borough Council by the various municipal departments.

BE IT RESOLVED, by the Council of the Borough of Chatham that all vouchers approved by the Finance Chairman be paid subject to the certification of the availability of funds by the Chief Financial Officer.

RESOLUTION #20-232

RESOLUTION AMENDING THE BOROUGH OF CHATHAM FLEXIBLE SPENDING ACCOUNT BENEFITS PLAN

WHEREAS, the Borough of Chatham adopted Section 125 Benefits Plan, also known as a Flexible Spending Account, providing an opportunity for employees to have employer sponsored benefit plan premium contributions, as well as, voluntary plan premiums, deducted pre-tax through payroll; and

WHEREAS, the Borough of Chatham would like to amend the Flexible Spending Account Benefit Plan to permit employees an opportunity to either revoke an election plan, make a new election plan, or increase or decrease an election plan for the following accounts:

- Healthcare Flexible Spending Account (HFSA)
- Dependent Care Flexible Spending Account (DCFSA); and

WHEREAS, the Healthcare Flexible Spending Account and Dependent Care Flexible Spending Account mid-year election changes will be limited to amounts no less than amounts already reimbursed or year-to-date contributions.

BE IT RESOLVED, that the Borough of Chatham hereby authorizes the amendment to the Borough's Flexible Spending Accounts as listed above until December 31, 2020.

BE IT FURTHER RESOLVED, that all other Borough officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

PERSONNEL

RESOLUTION #20-233

RESOLUTION TO HIRE NICOLAS MAZELLI AS A FALL SEASONAL EMPLOYEE IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Department of Public Works has a need to hire fall seasonal help; and

WHEREAS, the Department of Public Works publicly advertised the job opening and applications were solicited and received from interested candidates; and

WHEREAS, after considering all interested and qualified candidates, the Director of Public Works has recommended that Nicolas Mazelli should be hired for the fall seasonal position in the

Department of Public Works at the pay rate of \$15.00 per hour and with an effective starting date of October 19, 2020.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby approve and authorize the hiring of Nicolas Mazelli as a fall seasonal employee in the Department of Public Works at the pay rate of \$15.00 per hour and with the effective starting date of October 19, 2020.

RESOLUTION #20-234

RESOLUTION TO HIRE JAMES AHLER AS A FALL SEASONAL EMPLOYEE IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Department of Public Works has a need to hire fall seasonal help; and

WHEREAS, the Department of Public Works publicly advertised the job opening and applications were solicited and received from interested candidates; and

WHEREAS, after considering all interested and qualified candidates, the Director of Public Works has recommended that James Ahler should be hired for the fall seasonal position in the Department of Public Works at the pay rate of \$15.00 per hour and with an effective starting date of October 21, 2020.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby approve and authorize the hiring of James Ahler as a fall seasonal employee in the Department of Public Works at the pay rate of \$15.00 per hour and with the effective starting date of October 21, 2020.

CONSENT AGENDA VOTE:

Council Member Koronkiewicz made a motion to approve Resolutions #20-231 through #20-234 on the Consent Agenda. The motion was seconded by Council Member Resto. A vote was taken and Resolutions aforementioned were unanimously approved.

ORDINANCES FOR FIRST READING

Mayor Kobylarz asked Council Member Treloar to introduce Ordinance # 20-14.

Council Member Treloar introduced Ordinance # 20-14 by title as follows:

ORDINANCE # 20-14

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER 165 (LAND DEVELOPMENT) OF THE CHATHAM BOROUGH CODE TO INCLUDE MEDICAL SERVICES AS A PERMITTED USE IN THE B-5 (BUSINESS) ZONE DISTRICT

Council Member Treloar explained the purpose of the Ordinance and moved its introduction on First Reading.

Council Member Treloar read:

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on October 13, 2020.

BE IT RESOLVED, that at the Council meeting to be held on October 26, 2020 at 6:00 p.m.

prevailing time, at Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

BE IT FURTHER RESOLVED, that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in Borough Hall and make copies available to members of the general public.

Council Member Treloar offered Ordinance # 20-14 and moved its adoption on first reading.

Council Member Weber seconded the motion.

Mayor Kobylarz asked the Borough Clerk for a Roll Call Vote:

Name	Motion	Second	Yes	No	Abstain	Absent
Weber, Sr.		X	X			
Dempsey			X			
Mathiasen			X			
Koronkiewicz			X			
Treloar	X		X			
Resto			X			

ADD-ON RESOLUTION[S]

There were none.

Council President Mathiasen requested to discuss the Stanley Congregational Church contract in closed session.

RESOLUTION #20-235

RESOLUTION TO ADJOURN INTO CLOSED SESSION

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that it shall adjourn into closed session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b:

1. Contract Negotiations: AT&T Cellular – Mr. DeNave
2. Contract Negotiations: Solid Waste Contract – Council President Mathiasen
3. Personnel Matter: Chatham Borough CFO - Mr. Williams
4. Contract Negotiations: Stanley Donation – Mr. Lott

BE IT FURTHER RESOLVED, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Borough of Chatham, provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege. The Borough Council will not return to public session after this closed session.

Council Member Resto made a motion to approve Resolution #20-235, seconded by Council Member Weber. By a unanimous voice vote, Resolution #20-235 was approved.

ADJOURNMENT

Having no other business to be conducted in public session, Mayor Kobylarz adjourned into Closed Session at 7:12 p.m.

Respectfully Submitted on November 9, 2020 by:

Tamar Lawful, RMC
Borough Clerk
BOROUGH OF CHATHAM